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CONTENTS

	Page
Provisional agenda (S/Agenda/2498)	1
Adoption of the agenda	1
The situation in Cyprus:	
Letter dated 15 November 1983 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland addressed to the President of the Security Council (S/16147);	
Letter dated 15 November 1983 from the Chargé d'Affaires a.i. of the Permanent Mission of Cyprus to the United Nations addressed to the President of the Security Council (S/16150);	
Letter dated 15 November 1983 from the Permanent Representative of Greece to the United Nations addressed to the President of the Security Council (S/16151)	1

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2498th MEETING

Held in New York on Thursday, 17 November 1983, at 4 p.m.

President: Mr. Victor J. GAUCI (Malta).

Present: The representatives of the following States: China, France, Guyana, Jordan, Malta, Netherlands, Nicaragua, Pakistan, Poland, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire, Zimbabwe.

Provisional agenda (S/Agenda/2498)

1. Adoption of the agenda

2. The situation in Cyprus:
   Letter dated 15 November 1983 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland addressed to the President of the Security Council (S/16147);
   Letter dated 15 November 1983 from the Chargé d'Affaires a.i. of the Permanent Mission of Cyprus to the United Nations addressed to the President of the Security Council (S/16150);
   Letter dated 15 November 1983 from the Permanent Representative of Greece to the United Nations addressed to the President of the Security Council (S/16151)

The meeting was called to order at 4.30 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Cyprus:

Letter dated 15 November 1983 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland addressed to the President of the Security Council (S/16147);

Letter dated 15 November 1983 from the Chargé d'Affaires a.i. of the Permanent Mission of Cyprus to the United Nations addressed to the President of the Security Council (S/16150);

Letter dated 15 November 1983 from the Permanent Representative of Greece to the United Nations addressed to the President of the Security Council (S/16151)

1. The PRESIDENT: In accordance with the decisions taken at the 2497th meeting I invite the representatives of Cyprus, Greece and Turkey to take a seat at the Council table; I invite the representatives of Australia, Canada, India, Romania, Seychelles, Sri Lanka, and Yugoslavia to take the places reserved for them at the side of the Council chamber.

At the invitation of the President, Mr. Iacovou (Cyprus), Mr. Haralambopoulos (Greece) and Mr. Kirca (Turkey) took places at the Council table; Mr. Woolcott (Australia), Mr. Pelletier (Canada), Mr. Krishnan (India), Mr. Marinescu (Romania), Ms. Gonthier (Seychelles), Mr. Fonseka (Sri Lanka) and Mr. Golob (Yugoslavia) took the places reserved for them at the side of the Council chamber.

2. The PRESIDENT: I should like to inform members of the Council that I have received letters from the representatives of Algeria, Cuba and Democratic Yemen, in which they request to be invited to participate in the discussion of the item on the agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Sahnoun (Algeria), Mr. Roa Kourí (Cuba) and Mr. Al-Ashtal (Democratic Yemen) took the places reserved for them at the side of the Council table.

3. The PRESIDENT: I should like to remind members that in the course of the Council's consultations members of the Council agreed that an invitation should be extended to Mr. Denktaş, in accordance with rule 39 of the provisional rules of procedure. Unless I hear any objection, I shall take it that the Council decides to invite Mr. Denktaş, in accordance with rule 39 of its provisional rules of procedure.

It was so decided.

4. The PRESIDENT: The first speaker is Mr. Rauf Denktaş, to whom the Council has extended an invitation in accordance with rule 39 of its provisional rules of procedure. I invite him to take a place at the Council table and to make his statement.

5. Mr. DENKTAŞ: Mr. President, I thank you and members of the Council for this invitation to speak for and on behalf of my people. I came here in the hope of being able to contribute to your efforts in search of a way out of the difficulties which we all face. I did not come here as a man guilty of any failing, to apologize for the action of my people who, after waiting patiently for 20 years, deprived

of all their rights, ignored, ridiculed and treated with contempt by the Cypriot leaders, have decided to put the roof of statehood over their heads in order to find the dignity which is the due of all men.

6. I came here not to answer unjust accusations but to explain the reasons which have prompted my people, after 20 years of waiting, to exercise their undeniable right of self-determination, not only in order to restructure their 20-year-old administrative set up, which passed through different stages, and thus be able to live in dignity, but also in order to find out whether there was any sign of understanding of what injustice was being done to the Turkish people of Cyprus by the Greek Cypriot side, as well as, at their instigation, at one-sided hearings by the international world.

7. I am at the President's and Council's disposal for facilitating the resumption of negotiations within the agreed procedure. On this issue my declaration of independence, which I made on 15 November, is quite explicit. We are for the continuation of the negotiations under the good offices of the Secretary-General. We feel that the declaration of our statehood will help the negotiating process, as it underlines the equality of the parties to the negotiations, a fact which has been denied, ignored, ridiculed or forgotten by the Greek Cypriot side, with their one-sided presentation of the facts of Cyprus in most international bodies.

8. This morning [*2497th meeting*] I was, I must admit, disappointed to see a deliberate attempt to distort all facts about my people's equality and its partnership status in the sovereignty and independence of Cyprus. It is this distortion and denial of our status which has prevented a solution of the problem within the agreed formula.

9. In fact, the Cyprus problem arose because of the armed attempt, back in 1963, to destroy the Turkish Cypriot people's vested partnership rights in the Republic of Cyprus. It is because Greek Cypriot leaders thought they could by force of arms make Cyprus their own at our expense and relegate us to the position of a minority within a Greek Cyprus that the problem arose, and if it continues, it is because they have not receded from that policy.

10. If in the twentieth year of the problem we have had to declare our statehood, it is because of these facts about the Greek Cypriot side.

11. It would be very unfortunate if, in the twentieth year of this problem, and in spite of our protection of our vested rights in the sovereignty and independence of Cyprus at great cost of life, the international family of nations should refuse to look at the facts objectively. It would be very unfortunate if the mistakes of the past should be repeated and one of the two contestants should receive backing against the other, in complete disregard of the facts which make up the problem of Cyprus.

12. Today I listened to the appeal of the Greek Cypriot representative for a condemnation of my people for having put over their heads the roof of statehood—of which they were deprived by force of arms for 20 years and in order to have which they were asked, and are still being asked, to surrender their vested rights in the sovereignty and independence of Cyprus.

13. I repeat: no man can live without the roof of statehood over his head; no man can live in dignity, in security and in justice without that roof over his head. We have been striving for rehabilitation in a bicommunal State, in a partnership State, which Greek Cypriot arms with the help of Greece destroyed, and to which they have never allowed us to return. But we have not succeeded in obtaining that rehabilitation.

14. Today I listened to the Greek Cypriot representative saying so vehemently that the roof of his statehood existed in Cyprus but, because of the presence of Turkish troops, the Greek Cypriots could not give us its protection.

15. That presentation was a fearful one, and I say: thank God Turkish troops are there and they cannot extend their statehood over us, because we know how they tried to cover us in that statehood. My people lie buried in common graves as a result of events in Aghios Vasilios in 1963. The whole population of three villages—from 16-day-old babies to 90-year-old people—lie buried in common graves as a result of events in 1974. Hundreds of other people were similarly destroyed by Greek Cypriots. That was their understanding of statehood. That is what we fought against and struggled against for years.

16. No one seems to understand that the problem of Cyprus began when the Greek Cypriot wing of a bicommunal Government, the Greek Cypriot wing of a bicommunal State, armed itself, prepared secretly and then attacked the Turkish Cypriot wing in order to destroy the bicommunality of the State and of the Government and to take over that State and that Government as a Greek Cypriot State and then unite it with Greece. No one seems to stop and ask how and why the Cyprus problem started. It started because of this big plan of making Cyprus a bicommunal land, a Greek Cypriot land—at least at the first stage. Therefore, the moment the Turkish Cypriot wing was pushed out by force of arms from the bicommunal State and Government, the Greek Cypriot wing, which took on itself the right to be the Government of Cyprus, ceased to be the legitimate Government of Cyprus. And to that Greek Cypriot wing, which started sailing under the name of the "Government of Cyprus", the Turkish Cypriot people never owed, does not owe and never will owe any allegiance whatever. Legitimate government is by the people and for the people, a government in which people participate.

17. For 20 years Turkish Cypriots have not participated in the so-called Government of Cyprus, and it is my complaint that members of international forums did not look into these facts but decided, in spite of our protestations, that the Greek Cypriot wing of the bicommunal Government of Cyprus was the legitimate Government of the land.

18. That is why the Cyprus problem has not been solved; that is why it cannot be solved—because Greek Cypriots

feel that they have achieved what they set out to achieve from the beginning, namely, to take over Cyprus. They could not do it by force of arms because our resistance continued, but the international body handed it over to them on a piece of paper, and on that basis they think they have got Cyprus for themselves.

19. It is our resistance to this illegitimacy, to this illegality, which is at issue today. And I ask the representative of Cyprus here under what authority he is occupying the seat of my Government. Where is my Turkish Cypriot representative sitting with him? Who has signed the paper giving him the mandate to represent Cyprus as a whole? How can he use that seat in order to attack the Turkish Cypriots and their rights and liberties and make us feel that we are their subjects—a little minority, an ethnic group, a nonentity in our own island within our own State, which with our signatures we helped to create on the basis of equality? From A to Z their stand is illegal; it cannot be upheld in any court of law and it should not be upheld in this forum. But, unfortunately, here they are alone, and in the General Assembly they and they only can speak. We are not listened to; we are condemned. And today occupying that seat, from which he has no legal mandate to speak for the whole of Cyprus and in which he sits without the consent or signature of even one Turkish Cypriot, he has been able to ask the Council not only to condemn us for existing in Cyprus, for asserting our rights, for preventing the destruction of the independence and sovereignty of Cyprus—in the name of union with Greece—and for preventing an occupation by the Greek army hand in hand with the unconstitutional National Guard, which was created in order to destroy us; but he has also asked the Council not to recognize our existence in Cyprus as a State or as a community.

20. We are just the people of Cyprus. Self-determination is the right of the people; but the people are, of course, by a majority vote, Greek Cypriots. It was this presentation of facts, it was this mentality, it was this policy, that created the troubles of 1963. In order to make Cyprus this, they attacked us. It is against this policy that we have put everything we have on the soil of Cyprus and sacrificed our children, and finally Turkey had to sacrifice its children, in order to prevent this policy from taking root and the independence, sovereignty and non-aligned status of Cyprus from being destroyed.

21. Today the same mentality, after all that has happened in Cyprus, is present here. They are asking the Security Council to ignore our existence, to ignore our rights, to ignore the right of self-determination of a people that has decided to live in statehood because it has been deprived of it for 20 years. And then they will go back to what? To continue the present policy of not having us accepted as a community in Cyprus. If the Council decides not only that we should be condemned but that we should not be recognized at all, who is going to benefit from that? Will the Council be helping the negotiation process by coming out with such a declaration? Do members think that we shall negotiate with people who have called themselves the Government of Cyprus for 20 years without our participation in any of the organs of the State, who robbed us of all our rights and of all our liberties, who tried to destroy us in Cyprus? Do members think that they can give them the mandate to continue the slaughter and then we will meet around the table and negotiate?

22. The Turkish Cypriot people have asserted their rights and have come to certain conclusions about themselves. Whether the Council accepts it or not, this is a fact of life. We have not divided Cyprus. Cyprus was divided the moment we were thrown out of the Government. Cyprus was divided when we were forced to live in open-air prison camps called "the Turkish areas". The Secretary-General was there representing the then Secretary-General, and he knows what we suffered and the treatment we received from the Greek Cypriots. International bodies may choose to disregard all these facts, but I plead, in the name of negotiations and peace, that you should not ask, you cannot ask and you cannot expect, my community to reverse the decision, a decision taken 20 years late, in order to protect its identity and what is due to it under the Republic of Cyprus.

23. In my delcaration I have left the door wide open to the negotiating process. I have asked the Secretary-General to be kind enough to continue his good offices, to help us not only with the summit but with the real negotiations within the agreed procedures, so that we may come to a conclusion and settle the Cyprus problem within its correct perspective, by re-establishing the partnership State in a bi-zonal federal form which I agreed with Archbishop Makarios.

24. I repeat that if the negotiations have not yielded results to this, it is because one of the contestants has been given, as a gift, unjustly, what he should have achieved through negotiations in a partnership situation. By declaring that Greek Cypriots are the Government of Cyprus when they are morally, legally and constitutionally not, but are merely the Greek Cypriot wing of a bicommunal State, all the incentive, all the necessity, for re-establishing a bicommunal State has been removed. Therefore they simply continue to go round the world making propaganda for themselves, getting more and more seals of approval from international forums to the effect that they are the legitimate Government; and finally in May 1983 they get the terrible seal to the effect that not only are they the legitimate Government of Cyprus but they are entitled to extend their legitimacy and their rule to the north, over my people. This is giving the butcher the knife and putting him in charge of the lambs to slaughter at will. But no one understands this, and no one will understand it as long as Cyprus is looked at through the eyes of a Cyprus Government.

25. Now we hope, having established our own State, that people who look at Cyprus will see a Cyprus Government—we cannot destroy it, it appears, it is there—but they will also see an unrecognized or semi-recognized Government with another people in it. So this presentation, this continuous propaganda—"we, the Cyprus Government", and "the minority" and "the occupation"—will, we hope, lose its effect, and people will have a better sense, a better comprehension, of the prob-

lem of Cyprus. This is how we hope the problem will be helped.

26. As long as they feel that they can get away with this murder, the murder of the identity of the Turkish Cypriot people, the murder of their communal existence and of their rights, and that they can get away with the idea that Cyprus is a Greek Cypriot land in which there exists a minority, the Cyprus problem will not be solved and my community's future will be in grave danger. These are the facts which determined the decision of 15 November.

27. I apologize to the Secretary-General because, while he was testing whether the summit could be or could not be held, we realized in Cyprus, through our own tests, through diplomats and others, through information that we gathered, what Mr. Kyprianou was playing at, that he was just playing for time, because I had said to the world that I would do this before the new Turkish Government took over. This was because, whatever happens to us in Cyprus, Turkey is held responsible for and Turkey is punished. We do not like that, because Turkey has done nothing except sacrifice its sons in order to save us from utter catastrophe, in order to protect and save the independence and sovereignty of Cyprus. That again I am not in a position to pass over, because I do not have the propaganda machine which my adversaries have and which they use so effectively.

28. Today I heard the Minister of Cyprus—who has not seen a Turk yet, who has not shaken a Turk's hand for 20 years, who has been given the duty of informing the world that Turks are always wrong and have always been wrong and that Turks have no right in Cyprus and can only have what is offered them through good will—I heard the Minister tell the Council that Turkey is responsible for every action in the Turkish north. He has cited out of context several opponents who have written certain things. He has cited even Mr. Veziroglu, who some days ago wrote in a newspaper: "If Denktas is going to act like an officer or servant of the Turkish Government, he should go back to Turkey." But the Minister forgot to mention to the Council that Mr. Veziroglu wrote that in this context: everybody was attacking me for not declaring independence, for dilly-dallying, for wasting time, when Greek Cypriot intentions had become so obvious. Mr. Veziroglu was saying, "We know Turkey is not allowing you, Turkey does not want you, to declare independence. We know this. But you should listen to your people, and not to Turkey. If you are going to listen to Turkey, then you had better leave us and go and live in Turkey." This very effective article was condensed by the representative of the Greek Cypriots in order to support his alleged thesis that we are all servants of Turkey and a puppet of Turkey.

29. Who is a puppet and who is not, I am not going to argue here. I am here in defence of my people, as I was here in December 1963, while my countrymen were bleeding to death. The Secretary-General's reports will show that they were put under a virtual siege economically; blood plasma was denied them; Red Crescent food was denied them. We had either to submit and become a minority in a Greek Cyprus or be destroyed. And because I came here, because I told the truth, for four and a half years I was not allowed to enter my homeland, and I had to stay in exile in Turkey.

30. Thank God now I have my State; I have my country; I have my people. And they cannot do that to me again. Achieving this status is wrong, according to them. I should allow them to control all the ports in the north as well, so that they can dictate who will come in, when, and what for.

31. We have engaged in a struggle for liberty, but with our Cyprus. We are part of it; we do not want to break it up. But we want to live in security because we know Greek Cypriot and Greek policy, which is revived every four or five years, aimed at making Cyprus a Hellenistic paradise, and in that paradise Turkish birds are not asked to sing. But we are in that paradise, and it shall not be a Hellenistic paradise. It is a Graeco-Cypriot paradise. But they cannot destroy our identity as the second people in Cyprus which established a partnership State with them and which insisted that this partnership State should be re-established, and not a Greek Cypriot State in which Turkish Cypriots would be a minority and again be treated as they were treated for 11 years—out of the Administration, out of all its organs, out of the budget.

32. The Minister here was able to say that we walked out of the Administration. How can we ever be right? How can a Turk in Cyprus ever find justice, as long as this approach is taken? And the Minister—instead of looking at the facts in Cyprus, at the life he lived, and we lived, for so many years—has been quoting from papers in order to prove, according to him, that pre-1974 Turkish Cypriots and Greek Cypriots were living happily together and working happily together, and there was no problem. If there was no problem, why was the United Nations Peace-keeping Force in Cyprus (UNFICYP) sent there? Why is UNFICYP still there after 20 years, if we love each other so much, and if there was no trouble at all in Cyprus? Are we here to deceive each other?

33. I have come here to tell all the members of the Council that we stand by the 1977 summit agreement I made with Archbishop Makarios [*see S/12323, para. 5*]. We stand by the agreement I made with Mr. Kyprianou [*see S/13369, para. 5*]. We stand by the 1980 opening statement by the Secretary-General [*S/14100, annex*]. We stand by the "evaluation" document of the Secretary-General. All of those foresee the establishment of a bi-zonal federal republic.

34. But today, even today, members must have seen Mr. Kyprianou quoted in *The New York Times* as saying that Mr. Denktas wants bi-zonal settlement, whereas a unitary State is what Cyprus needs. Is this not sufficient proof of why intercommunal talks never yielded a result and never will yield a result as long as Mr. Kyprianou is treated as the legitimate head of a unitary State, not as the head of the Greek Cypriot wing of a bicommunal State? There is the obstacle; that is why we are not progressing. But I am telling the members of the Council, with deference, with respect, that we stand by those agreements, and we are all for establishing a bi-zonal federal system, and we are all

for the continuation of the good offices of the Secretary-General.

35. Our move of 15 November has broken a vicious circle. I beg the Council to allow it to be so. Give Cyprus a chance to establish bi-zonal, bicommunal federalism by not heeding the Greek Cypriot demand that the Council not only condemn us but order all the world to ignore us and not to recognize us. It is when the world starts to recognize us that Greek Cypriots will feel the need to come to the table.

36. They have accused us of destroying the territorial integrity of Cyprus. It seems to be a very curious territorial integrity which is not broken when Turkish Cypriots are fragmented all over Cyprus, confined to their own zones by armed Greeks. It is not broken, this territorial integrity. But when the fragmented Turks, after so many years of waiting, unite in one area and agree with the Greek Cypriots to establish a bi-zonal federal system, it is divisionist, and it is breaking up the territorial integrity of Cyprus. I beg the Council to look at the facts and not to swallow the hook that is being presented to the non-aligned in saying that imperialists will take advantage of the situation if the Turks succeed, and to the others, other stories—all the way, just for one reason: to make Cyprus Greek Cypriot.

37. Cyprus is not Greek Cypriot. We have now made it very visible, and we are proud of it. We have not broken up Cyprus; we are defending its bicommunal character, and we intend to do so. And we again ask the Greek Cypriots to come to the negotiating table in order to establish unity by accepting the duality of the nation.

38. Finally, this morning I made an offer, an open declaration, which I should like to repeat here for the purpose of the record. It relates to Varosha and to the international airport. It reads as follows:

[*The speaker read the press release contained in the annex to document S/16159.*]

39. Peace can be found by the two peoples in Cyprus only through negotiations. We believe that and we want to continue to believe that. But for this to happen, irrespective of the hat which the sides have put on their heads, the talks must continue. It should not be for the Security Council or for any other forum at all to grab the hat of one of the sides and throw it into the waste paper basket, telling that side that it should sit at the table with this uniform, under this name, under this title. In Cyprus, Greek Cypriots, relying on the force of arms, called themselves the Government of Cyprus when they were not the legitimate Government. We have been sitting at the table talking with them, and we have come to the conclusion that no solution will be available so long as we have not got the same hat on our heads.

40. We took an action. It is my people's action. The Security Council is a forum where the rights of the peoples are respected, where peoples are allowed to evolve into a better status, rather than being deprived of the status which they give themselves.

41. My people, a co-founder partner people, one of the two equal peoples in Cyprus that co-founded the partnership State of Cyprus, today stand in the north in their own State and extend their hand of friendship to the Greek Cypriot side, saying, "Come, let us negotiate as agreed for a federal solution". If they come, we shall be very pleased and very honoured. We shall try to forget the past. We shall look to the future on the basis of equality. If they do not, we have patience. We have waited for 20 years. We shall go on waiting. We shall do nothing to harm them, and we hope they will do nothing to harm us. It is up to them. I hope that in its deliberations, in its resolutions, the Security Council will regard us as existing in Cyprus and as in full charge of our destiny—because we are.

42. The PRESIDENT: The next speaker is the representative of Turkey, and I call on him.

43. Mr. KIRCA (Turkey) (*interpretation from French*): I should like first, Sir, to congratulate you warmly on your assumption of the presidency of the Security Council. The Turkish people has always had a special feeling for nations that have been able to preserve the noble values of the knights of old. In Malta, the Turks sustained one of the rare defeats in their long military history. But we learned there to appreciate and respect the Knights of Malta, whose noble spirit still prevails in the soul of the Maltese nation.

44. I extend my congratulations also to the representative of Jordan on the remarkable way in which he conducted the proceedings of the Council in a particularly difficult period. My congratulations are all the warmer because Turkey has maintained very highly valued links of friendship and fraternity with his country since its creation—links that have never been darkened by the slightest shadow.

45. Mr. Rauf Denktaş, President of the Turkish Republic of Northern Cyprus, has given sufficient explanations to the Council of the reasons that led the Turkish community of the island to proclaim its independence, and by so doing he has made a very clear and illuminating summary of the problem. It is therefore not necessary for me to repeat what he has already said. I shall confine myself to informing the Council of my Government's position and to making a more conceptual analysis of the problem.

46. Contrary to the Greek and Greek Cypriot allegations, the problem of Cyprus after the independence of the island did not begin in July 1974, when Turkish armed forces had to intervene in order to protect the Turkish Cypriot community and to prevent union with Greece.

47. Cyprus became independent on 16 August 1960. Independence was negotiated at great length between the two communities of the island, the United Kingdom, Turkey and Greece. Independence was not granted by a mere unilateral act on the part of the United Kingdom but was the consequence of the conclusion of a number of treaties between Cyprus, the United Kingdom, Turkey and Greece. The Treaty of Guarantee,[1] in particular, guaranteed not only the existence and independence of the

Republic of Cyprus, its territorial integrity and the prohibition of secession, partition and the total or partial annexation by one or several outside States, but also—and this is a crucial point if we are to understand the nature of the problem and the purpose of the guarantee—the Basic Articles of the 1960 Constitution. On the one hand, that Constitution of itself determines its own Basic Articles—I refer to paragraph 1 of article 182 and annex III—and, on the other hand, one of the fundamental provisions of the same article unambiguously lays down that those Articles shall not be amended. As a party to the Treaty of Guarantee, the Republic of Cyprus undertook, not only from a constitutional standpoint but also from the standpoint of international law, not to modify the Basic Articles of its Constitution. Furthermore, the guaranteeing Powers themselves undertook to guarantee, and hence to respect, the Basic Articles of the 1960 Cypriot Constitution.

48. Had the Republic of Cyprus not undertaken by treaty not to amend the Basic Articles of its Constitution, the unilateral amendments made to those Basic Articles towards the end of 1963 by the Greek Cypriots in spite of the constitutional prohibitions in that regard could have been considered from the international standpoint to be an internal affair of the Republic of Cyprus. But that was not the case, since this prohibition of amendments to the Basic Articles was not only an absolute precept of the constitutional order of the Republic, but also an obligation under international law. Thus, the unilateral amendments of 1963 are not an internal affair of the Republic of Cyprus. The Basic Articles of the 1960 Cypriot Constitution are not part of the private preserve of the Cypriot Republic, because they are governed by international law stemming from the Treaty of Guarantee.

49. What should happen in the case of the violation by the Republic of Cyprus of this formal international commitment?

50. First of all, it is the duty of the guaranteeing Powers to protest at that violation; then it is their duty to refuse to recognize the *de facto* situation created as a result of that violation; finally, it is their duty to restore the "state of affairs established by the Basic Articles" in question, as laid down in the Treaty of Guarantee. Furthermore, since the object of the guarantee forms a whole whose elements are inseparable, in the event of one of those elements—in this case the constitutional order—being destroyed, the parties whose interests have been damaged have an immediate right of reprisal.

51. In 1963 the Greek Cypriots made unilateral amendments to the unamendable Basic Articles of the 1960 Constitution. They removed from office the Turkish Vice-President, the Turkish ministers and the Turkish deputies. They compelled the West German President of the Constitutional Supreme Court to flee the country. They abolished all the immunities granted to the Turkish Vice-President, the Turkish ministers and the Turkish deputies and then had the effrontery to invite them to resume office, stripped of all their rights. Since they refused to recognize this utterly illegal and illegitimate *coup d'état*, the Turkish Cypriots were declared to be in a state of rebellion.

52. The 1960 Constitution created a bicommunal Republic of Cyprus. There could be no more irrefutable proof that in Cyprus the right of self-determination was exercised jointly by the two communities which were thus recognized as the co-founders of the Republic. The purpose of the 1963 *coup d'état* was to give the Greek Cypriots a monopoly of political power, relegating the Turkish community, equal co-founder of the Cypriot State, to the status of a mere minority without guarantees and taking away its right of self-determination.

53. Following this Greek Cypriot *coup*, the Turks of the island were persecuted, tortured and massacred; their villages and neighbourhoods were plundered; their electricity, water and food supplies were cut off; and they were refused medical services. This went on for ten and a half years, until the Turkish armed forces landed on the island in July 1974.

54. The Greek Cypriot Administration had placed itself outside constitutional law and irrefutably had violated its international commitments, so what did the guaranteeing Powers do?

55. Each time Turkey, and in certain cases, one other guaranteeing Power, protested. Another guaranteeing Power became the instigator of and accomplice in these violations and acts of oppression. Turkey, of course, refused to recognize the unconstitutional so-called Government born of a violation of international law. The two other guaranteeing Powers—and it pains me to have to say this—recognized this illegal and illegitimate Government as the Government of the Republic of Cyprus, thus refusing to honour their international contractual commitments, in disregard of such sacred principles as the principle of the primacy of the rule of law and the principle of the inviolability of international treaties.

56. As to their commitment to restore "the state of affairs established by the Basic Articles" of the 1960 Constitution, what did the three guaranteeing Powers do?

57. One of them, the instigator of and accomplice in the acts of oppression and the violations committed by the illegal and illegitimate Greek Cypriot team, while itself violating the Treaty by secretly sending armed troops to the island—which it had no right to station there, and which in any event it had to recall in 1967 under Turkish and United States pressure—disqualified itself as a guarantor by its own actions. Is it not true that since 1963 the so-called Cypriot armed forces have been led by Greek officers and commanded by a Greek general appointed from Athens, and still are?

58. The positions taken by the guaranteeing Powers, apart from Turkey, were such that it was impossible to persuade them to take effective joint action to restore legality, legitimacy and peace in the Republic of Cyprus.

59. The United Nations sent a peace-keeping force to Cyprus in 1964. The truth is that that force was unable to protect the Turkish community. The basic reason for that failure was that it was obliged to co-operate with the illegal and illegitimate so-called Government, which was none

other than the author of the Greek Cypriot plan for subjugation of the Turkish Cypriot community.

60. After being patient for too long, in July 1974 Turkey intervened following a *putsch* organized by a professional killer in the pay of Greece, supported by Greek troops and military personnel whose plan it was to bring about a union with Greece, which was prohibited by the Constitution and by the Treaty of Guarantee, and completely to eliminate the Turkish community. That Turkish intervention took place in accordance with the Treaty of Guarantee, since that Treaty recognized Turkey's individual right to intervene. Before intervening, Turkey consulted the United Kingdom for the purpose of reaching a decision on joint action. It did not consider it necessary to consult Greece, since that country was itself in the process of violating its international commitments.

61. Turkish intervention saved the Turkish community from elimination and prevented union with Greece. It enabled the Turks of the island to gather in a territory following the intercommunal agreement of 1975, which led to an exchange of populations.

62. The presence of Turkish armed forces in Cyprus continues on the basis of the Treaty of Guarantee and the principle of legitimate individual defence. Indeed, the Greek Cypriot administration makes no secret of its illusions that it has jurisdiction over the territory administered by the state apparatus of the Turkish community. In other words, in the event that the Turkish armed forces were to withdraw from the island, this administration would immediately occupy the territory. The Turkish community well remembers its recent past, in particular the period from 1963 to 1974. It is determined never to have to relive that nightmare.

63. That is why it is asking Turkey to continue to maintain its military presence in order to protect it. The United Nations force, until July 1974, was powerless in the face of the upsurge of Greek Cypriot violence. It was unable to protect the Turks. It is only natural, therefore, that the Turkish community should not have any confidence in this matter except in the Turkish military presence which will last until the conclusion and the entry into force of agreements bringing about a final solution to the problem. The Turkish military presence in the island is not directed against the Greek community. It is totally unrealistic and even false to claim that this presence makes intercommunal negotiations difficult.

64. In intervening, Turkey also undertook to restore the state of affairs established by the Basic Articles of the 1960 Constitution. This undertaking does not consist of a pure and simple return to that Constitution, but in the restoration of the state of affairs which those Basic Articles aimed at establishing—that is to say, a bicommunal republic within the framework of which the two communities, under the protection of appropriate safeguards and guarantees, could finally coexist in peace and security. This objective can be achieved only in a bicommunal, bi-zonal and federal State.

65. The Security Council has acknowledged that the final solution to this problem can be found only by means of negotiations between the two communities on the island under the auspices of the Secretary-General. The Turkish community and Turkey have endorsed this principle. Two summit agreements were concluded between the heads of the two communities in 1977 [*see S/12323, para. 5*] and 1979 [*see S/13369, para. 51*]. The Secretary-General, in 1980, in his opening statement [*S/14100, annex*] at the resumption of the intercommunal negotiations, specifically cited the basic principles I have mentioned.

66. In 1981, the Secretary-General produced an "evaluation" document which the Turkish Cypriot community and Turkey welcomed as a particularly useful and important contribution. The Greek Cypriots did everything in their power to avoid negotiating seriously on the basis of this document. They intended, at all costs, to keep this document presented by the Secretary-General from the negotiating table. They even tried to modify the method of the intercommunal negotiations which consisted of direct talks between the two communities and to replace them by shuttle diplomacy conducted by the Secretary-General. To this end, they tried—unsuccessfully, be it said—to divert from their true objective the most recent informal suggestions of the Secretary-General. And they lie, incidentally, when they say that they accepted these suggestions. And what a lie, since Mr. Rolandis resigned his post, loudly protesting against Mr. Kyprianou precisely for having rejected these suggestions.

67. Since July 1974, behind all these setbacks and all the delays in the course of the intercommunal negotiations, it is easy to discern one single cause: ill will on the part of Greek Cypriots aided and abetted by Greece. The chronology is there to prove it. So, by trying to play with words and ideas and, quite frequently by calling for suspensions or by attempting to attack the Turkish community in international forums when it was obvious that these attacks would have a bad effect on the negotiations, they thus poisoned relations between the two communities, which indeed do suffer from a considerable lack of mutual confidence.

68. General Assembly resolution 37/253, adopted last May without the Assembly's having heard, on an equal footing, the views of the Turkish community, a partial text based on distortion of both historical and juridical reality, finally exasperated the Turkish Cypriots. Turkey did everything in its power to counsel moderation. The Turkish community, on this advice, agreed to reopen intercommunal negotiations. There was no comprehensible reason why these negotiations should not be resumed on the existing basis, at the precise place where they had been broken off because of the Greek Cypriots.

69. When negotiations on the basis of the "evaluation" document were concluded, the Turkish community was ready to consider, by joint agreement, other initiatives of the Secretary-General, provided that these initiatives were confined to points which fell within the competence of the two communities and were the object of direct negotiation between them, as laid down in the relevant resolutions of the Security Council. The Turkish community also pro-

posed a summit meeting between the heads of the two communities under the aegis of the Secretary-General.

70. However, the Greek Cypriot attacks continued with increased virulence. The Greek Cypriot administration was preparing to put before the Commonwealth Conference a draft resolution as devastating as the recent General Assembly resolution. It strove to monopolize Cypriot representation in the Consultative Assembly of the Council of Europe. On every occasion we witnessed a torrent of invective from them against everything Turk, a display of inveterate hostility and visceral hatred. The Turkish community was described as a "minority", as an "ethnic group", thus making it abundantly clear that there was no question, in the eyes of the Greek Cypriots, of restoring to it its legal and legitimate position as co-founder of the Republic, a status which was laid down as belonging to it in the Constitution and the 1960 treaties.

71. The exasperation of the Turkish community thus reached its peak. Hence, the proclamation of independence.

72. As far back as July 1974, the Geneva Declaration [*see S/11398*], which was the subject of agreement among the three guaranteeing Powers, recognized the *de facto* existence of two community administrations in the Republic of Cyprus.

73. In February 1975, this Turkish community administration transformed itself into the Turkish Federated State of Cyprus. Even at that time, the Greek Cypriot administration and Greece described that State merely as a "federated" or "separate" State. If the Turkish Federated State of Cyprus was already a "separate State", why all this hullabaloo today when all that State has done is change its name?

74. The Republic of Cyprus, following the Greek Cypriot *coup d'état*, was transformed into a sort of transcendental entity. Since the so-called Government established by the Greek Cypriots could not legally and legitimately claim, in terms of constitutional order and international treaties, anything but the title of usurper of the Cypriot executive, that Republic lost its institutional framework and its representative organs from an international standpoint.

75. Respectful of the Treaty of Guarantee—which, moreover, according to article 181 is part of the Cypriot constitutional order—the Turkish community and Turkey never recognized and will never recognize the status of the Government of the Republic of Cyprus as belonging to the Greek Cypriot administration. Other States may recognize it as such. Well, all those States are doing is endorsing a flagrant violation of international law, in disregard of the principle of the primacy of the rule of law and the principle of the inviolability of international treaties. Such conduct will not impress the Turkish community or Turkey, confident of their rights and the justice of their cause. But what is crucial for the usurper in the current state of affairs in Cyprus is to have its legitimacy recognized by the Turkish community and Turkey. Here, the Greek Cypriots can be absolutely sure that their ambitions will never be satisfied. All the rest is really not essential for the Turks.

76. The right to self-determination was exercised in Cyprus jointly by the two communities. This was recognized by the Security Council, since the Council considers that only the two communities together are competent to seek a negotiated solution which will lead precisely to the regeneration and the restructuring of the institutions of the Republic of Cyprus.

77. Now it is precisely this fundamental right of the Turkish community which the Greek Cypriots are trying to deny. How can it be that the Greek Cypriots can deny the Turkish Cypriots this right? Because they benefit from a paradox which even this Council must face.

78. Since in Cyprus there are two national communities which agreed in 1960 to found an independent republic, and which must negotiate together for the purpose of rebuilding and rehabilitation, one of those communities cannot also enjoy the privilege of forming at the same time the government which would rule over both those communities. One of the communities cannot be considered as more of a co-founder of the Cypriot State than the other. On the contrary, it is paradoxical.

79. This entirely illegitimate paradox permits the Greek community to monopolize diplomatic representation and to attempt to impose an economic embargo against the Turkish community. But, above all, it permits them to cherish illusions, because the Greek Cypriots believe this is the only asset remaining to them from the period when they attempted to subjugate and dominate the Turkish community.

80. This is the stumbling block in the Cypriot problem. As long as the Greek Cypriot administration has conferred upon it, by certain States, the false and illegitimate title of "Government", experience shows that it will continue to refuse a bicommunal, bi-zonal and federal solution.

81. The Turkish community has been patient for 20 years. How much longer is it going to be asked to be patient? Forever? No, that is not fair or reasonable.

82. The Turkish Government, however, asked the community to wait a little longer and not proclaim its independence. However, no one, not even Turkey, has the right to impede indefinitely the exercise of the right to self-determination by the Turkish Cypriot community which, after having exercised this right jointly with the Greek community, was stripped of its status of co-founder which it had obtained at that time. It has the right to decide its own fate, which cannot be forever dependent on the good will of the Greek Cypriots. Independence was its decision. Turkey respects this decision and can only abide by it, and that is what it is doing.

83. The Turkish community of Cyprus is not an ethnic "minority". It is an organized political "community", and the Constitution of 1960 acknowledged its right of equal participation in the State decision-making machinery.

That is a fundamental difference. The right to self-determination was exercised in this way in Cyprus. How can anyone now attempt to reduce the status of the Turkish Cypriot people to that of a "minority"?

84. In any given country there can be citizens of different racial and ethnic origins. That is indeed the case in most modern States. These citizens must be satisfied with enjoying human rights on an equal footing, or else, for special reasons, certaain rights of certain ethnic categories of citizens may be guaranteed by means of a "minority" status. In Cyprus, the model chosen was none of these, but a different model, that of "co-founding communities of the State". That particular model is not for export. But other States, concerned with their own problems, need not seek to export to and impose on Cyprus their own model by becoming the advocates of a usurping Greek Cypriot administration. Each country has and always will have the model it needs in terms of its own specific needs and circumstances.

85. In Cyprus, there is not just one nation; there are two peoples, each of which is the extension of a different nation. These two great nations, Turkish and Greek, were forged by centuries of history, with affinities, no doubt, but also with very distinct features, and each with the keen awareness of forming a different society. Cyprus is the point of intersection between these two nations. Just as the two Turkish and Greek nations must co-exist in good-neighbourliness, within a complex of political cheques and balances, on an equal footing, as in the very successful arrangements arrived at in Lausanne, the same concern must guide the two Cypriot communities. It is for this reason that there were two co-founding communities in Cyprus. This principle is still valid and is more necessary than ever.

86. It is in this spirit that the Turkish Cypriot community exercised its right to self-determination. In order to demonstrate that it would certainly not accept a status inferior to that of the Greek community, it has proclaimed its independence in the most democratic of fashions and in a remarkably peaceful atmosphere. Furthermore, since July 1974, there has been no major incident in Cyprus.

87. This proclamation is not a secession. The Turkish community has proclaimed that it considers itself bound by the Treaty concerning the Establishment of the Republic of Cyprus,[2] the Treaty of Guarantee[1] and the Treaty of Alliance[3] which gave birth to the Republic of Cyprus. Furthermore, the Turkish Cypriot community has declared that it will always pursue the goal of bringing about a just and lasting solution for the Cypriot question on a bicommunal, bi-zonal and federal basis. It remains faithful to the high-level agreements of 1977 and 1979. The proclamation of independence, therefore, is found in the very conception of the entity which is the Republic of Cyprus. That is why the Turkish community, in its proclamation, undertook not to unite with any outside State. Its sole purpose is to be able to join the Greek community on an equal footing in the bicommunal, bi-zonal and federal framework which should be that of the Republic of Cyprus.

88. In this regard, I wish once again solemnly to declare that Turkey has absolutely no territorial ambitions in Cyprus or anywhere else. It is true that until the conclusion in 1959 of the Zurich and London Agreements[4] the official policy of Turkey was based on the concept of partitioning the island between Turkey and Greece. The Greek Cypriot side has today quoted from statements referring to this policy, which Turkey completely abandoned when the Agreements I have mentioned were concluded in 1959. However, what was the official policy of Greece at that time, that is to say before the conclusion of the 1959 Agreements? Everyone knows that the Greek Government was calling for nothing less at that time than union with Greece.

89. The difference since 1959 between Turkey and Greece is that Turkey has continued to support the idea of an independent Republic of Cyprus, in accordance with these Agreements and the agreements of 16 August 1960,[5] while Greece has never given up its dream of the annexation of the entire territory of the isiand of Cyprus. A single example will suffice to prove this. Here is a quotation from a statement by Mr. Constantin Karamanlis, President of the Hellenic Republic, taken from the *Athens News Agency Bulletin* of 7 April 1983:

> "Cyprus should have been granted independence in 1960 to develop into an exemplary eastern Mediterranean State, without, however, abandoning hope of *enosis*, which means union with Greece under certain preconditions."

This is what we must understand by Greek good will.

90. The other example throws light on the true intentions of the Greek Cypriot administration after the conclusion of these agreements. The late Archbishop Makarios said in the weekly *Le Point*, on 19 February 1973, 13 years after independence:

> "I have fought for the union of Cyprus with Greece and *enosis* will always be my profound national aspiration, as indeed it is that of all Greek Cypriots. My conviction has never changed, and in the course of my career as a national leader I have never done anything which is inconsistent or in contradiction with that."

This is what we have to understand by Greek Cypriot good will.

91. The Turkish community believes that the only possible way of achieving the goal of a federal, bicommunal, bi-zonal Republic of Cyprus is through intercommunal negotiations under the auspices of the Secretary-General acting on a mandate from the Security Council to carry out a good offices mission. It is ready to recommence intercommunal negotiations on the existing basis at the point at which they were broken off. The head of the Turkish Community is ready to meet the head of the Greek community in the presence of the Secretary-General once preparations have been concluded. The Turkish community is also ready to co-operate with UNFICYP, as it has done hitherto.

92. It has also proposed, through its President, an interim agreement with the Greek community. This proposal will make possible the opening to traffic of the international airport in Nicosia and the resettlement of Varosha by the Greeks, the region of resettlement to be placed under the control and administration of the United Nations. My Government hopes that this gesture will be properly understood and appreciated by other Governments. We also hope that the Greek Cypriot community and Greece will appreciate this and will take the outstretched hand we offer.

93. In the view of my Government, the resolution to be adopted by the Security Council must, above all, call upon the two communities to resume intercommunal negotiations within the framework of the Secretary-General's good offices mission. The Council must refrain from judgements based upon distortion of historical facts and from prejudice in the interpretation of juridical reality. The Council must, finally, take into account the willingness to negotiate of the Turkish Cypriot community in order to bring about a solution which will enable the two co-founder communities to coexist in peace and security within the framework of the Republic of Cyprus.

94. Unilateral condemnations of the Turkish community will serve only to aggravate and deepen its exasperation; they will never succeed in deflecting it from its aspiration to equality. It has no fear of being alone in pursuing its course, maintaining its own identity in dignity and honour. Whatever the circumstances, Turkey, its motherland, will never abandon it, never let it be alone. Turkey will protect and sustain it always.

95. All that is necessary is the smallest show of good will on the part of the Greek Cypriot community and Greece for a solution very rapidly to be found—that is, acceptance of the Turkish community as an equal partner in an independent sovereign, bicommunal, bi-zonal, federal and, of course, non-aligned Republic of Cyprus.

96. Mr. CHAMORRO MORA (Nicaragua) (*interpretation from Spanish*): It is an honour, Sir, for me and my delegation to see presiding over the Council a representative of a sister country and member of the Movement of Non-Aligned Countries. Your wisdom, experience, good humour and diplomatic skill are well known to us all, and we have no doubt that all of these qualities will contribute to the success of our work in the course of this month. I should also like to congratulate your predecessor, Mr. Abdullah Salah of Jordan, on the effective and expeditious way in which he handled our busy schedule in the month of October.

97. In the last few weeks the Council has been compelled to deal with alarming frequency with crises whose root cause is to be found in the violation of Article 2, paragraph 4, of the Charter of the United Nations. The unilateral declaration of independence of the part of the territory of Cyprus under foreign occupation is one more act in the drastic escalation which we have been witnessing of the trend towards violation of the sovereignty and territorial integrity of States members of the Movement, whose greatest defence, as in the case of the Republic of Cyprus, is their moral strength and their dignity.

98. In the specific case we are considering today, we note that the root cause of the problem is the invasion and occupation of the territory of Cyprus by forces of another State 80 times bigger than Cyprus in terms of population, territory and military power. The nightmare visited upon the sister non-aligned country of Cyprus began in 1974. Since then, in order to justify the invasion, endless arguments have been put forward which are of very dubious value in the light of the very clear provisions of the Charter and the principles of contemporary international law.

99. We should like to emphasize the fact that the root cause of the problem is none other than the military occupation of a sovereign State, which constitutes a flagrant violation of the rights of peoples and States to live in peace, free from foreign interference, and of the duty of all States to refrain from the use of force in the settlement of disputes.

100. Last week the General Assembly adopted by consensus resolution 38/10 on the item, "The situation in Central America: threats to international peace and security and peace initiatives". Paragraph 1 of that resolution reaffirms:

> "the right of all countries of the region to live in peace and to decide their own future, free from all outside interference or intervention, whatever pretext may be adduced or whatever the circumstances in which they may be committed".

This vigorous reaffirmation of one of the basic principles of the Charter caused some discomfort to a couple of countries which, in their statements, show that they do not share this principle with the rest of the international community, automatically placing them beyond the pale of international law.

101. Since 1974 the United Nations has been striving to achieve a just and lasting peace in Cyprus, as reflected in the various resolutions adopted by the Security Council and the General Assembly. General Assembly resolution 3212 (XXIX), which was adopted unanimously in 1974, Security Council resolutions 365 (1974) and 367 (1975) and General Assembly resolution 37/253, adopted in May 1983, constitute strong foundations on which all efforts by all the parties involved in the conflict must be based in the search for a solution. All these resolutions, in particular Assembly resolution 3212 (XXIX), which was endorsed by the Council in resolution 365 (1974), have reiterated support for the sovereignty, independence, territorial integrity and non-alignment of Cyprus and called for the cessation of all foreign interference in its affairs. Moreover, these resolutions have requested the withdrawal of all foreign forces from Cyprus, which is a prerequisite for a solution to the problem.

102. Furthermore, there are two aspects of General Assembly resolution 37/253 which are particularly rele-

vant to the situation before the Council today. I refer to paragraphs 12, 13 and 14, which state that the *de facto* situation created by force can have no influence or effect on the political solution and appeal to the parties to refrain from any unilateral action which might adversely affect the prospects of a just and lasting solution of the problem and from any action which violates the independence, unity, sovereignty and territorial integrity of Cyprus. The declaration of independence by the Turkish Cypriot leaders violates this provision, just as it violates the Council's resolutions on the subject.

103. The confidence and support that the United Nations and Cyprus have placed in the Secretary-General's efforts have been particularly demonstrated in the last two resolutions adopted by the Organization with regard to Cyprus—Council resolution 534 (1983) and Assembly resolution 37/253. Both call upon the Secretary-General to promote negotiations between the two Cypriot communities on the basis of United Nations resolutions and the high-level agreements.

104. As a worthy founding member of the Non-Aligned Movement, Cyprus has spared no effort to obtain compliance with the Movement's principles, particularly with regard to the search for a peaceful, just and lasting solution for the country, one based on unity. For its part, the Non-Aligned Movement has shown concern for, and devoted its attention to, the problem of Cyprus. Thus the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi from 7 to 12 March this year, reaffirmed the inadmissibility of policies based on *faits accomplis* and the violation of legitimate rights by means of military intervention. Similarly, the Movement opposed measures to change the demographic character of that country and emphasized the urgent need to solve the problem of the refugees and missing persons. Equally, the efforts made by the Movement's contact group to find a solution to that situation deserve our full gratitude and support.

105. Everyone knows that the various resolutions adopted by the General Assembly and the Security Council have not been implemented and that force rather than the rules of international law has prevailed in this situation.

106. We must not permit the status of Cyprus as a unified and an independent State to be altered unilaterally. To do so would be an extremely dangerous precedent. We are fully aware of the complexity and difficulty of this problem, but we also believe and have full confidence in the efforts of the Secretary-General to achieve a negotiated peaceful solution. The Council must once again encourage these efforts and promote them energetically.

107. Cyprus is one nation. Both communities must, without interference—let alone foreign military intervention—in full sovereignty come to an understanding and find the appropriate machinery to make it possible for both to live harmoniously side by side through respect for diversity within unity. Although small, Cyprus is located in an extremely sensitive geographic area and is a nerve centre in the Mediterranean. Therefore, we cannot allow this fragile balance, which has so far been maintained with such effort, to be upset by the rashness of those who directly or indirectly support military options, warlike policies or *faits accomplis* and endeavor to make them the enduring options not only in the Mediterranean but also in the Middle East, in southern Africa and in Central America.

108. The decision to declare an independent Turkish Cypriot State is unacceptable and from all standpoints wrong, since it shatters, through the use of force, the unity, independence, sovereignty and territorial integrity of a Member State of the Organization and of the Non-Aligned Movement. That decision must not have any international legal effect whatsoever. The Council must declare it null and void and call upon Member States to adopt a line of conduct in keeping with the resolutions of the Council and of the General Assembly, and this includes non-recognition of the State thus created. Anything else would constitute recognition and indirect perpetuation of an unlawful military occupation, creating the problem of a State divided along false lines, which will make it much more difficult to continue the efforts that have been made so far.

109. I should like to conclude by reading out an official communiqué from my Government on the situation the Council is discussing today:

[*The speaker read the annex to document S/16158.*]

110. The PRESIDENT: The next speaker is the representative of India, whom I invite to take a place at the Council table and to make his statement.

111. Mr. KRISHNAN (India): Mr. President, it is, in a sense, a sad commentary on the state of affairs in the world today that the Security Council should have to remain almost permanently in session, as indeed it has over several months now. Like your predecessors, you bear the difficult mantle of guiding the Council in troubled times. On this occasion the Council meets to consider the unfortunate events that have transpired in your own part of the world. At such a time we are happy to see you in the chair, as the representative of a friendly and fellow non-aligned country with which India enjoys the most cordial of relations. We are confident that you will bring your very considerable diplomatic skills and experience to bear upon the challenges before the Council and guide its deliberations in an effective and purposeful manner.

112. Two days ago the world learned with consternation and shock of the unilateral proclamation of a so-called Turkish Republic of Northern Cyprus—an action which has been denounced in most capitals of the world. The Foreign Minister of Cyprus dwelt in detail this morning [*2497th meeting*] upon the serious situation created by this grave development. The Government of India issued, on 16 November, a statement regarding these developments which I should like to read into the records of the Security Council:

"The Government of India have learnt with profound shock and concern of the unilateral declaration of independence by the so-called Turkish Cypriot Assembly of the Turkish-occupied part of the Republic of Cyprus. They deplore this action, which is in violation of the declarations of the Non-Aligned Movement and the resolutions of the United Nations General Assembly on the question of Cyprus.

"The Government of India fully support the sovereignty, independence and territorial integrity of the Republic of Cyprus headed by President Kyprianou, and demand the revocation of this unilateral declaration by the foreign-occupied part of Cyprus. They support the continuation of intercommunal talks, which is the only way to an enduring and satisfactory solution of the Cyprus problem. The Government of India are in contact with other non-aligned countries over this unfortunate development. The Prime Minister of India has personally been in touch with President Kyprianou."

113. The vexed question of Cyprus has been on the agenda of the United Nations for quite some time now. It is by no means an easy problem to resolve, and in recent times the atmosphere hs been particularly charged with acrimony and animosity. We have been aware for some time of indications that the Turkish Cypriot leadership might be attempting to consolidate illegitimately, through measures that go beyond mere physical occupation and are unacceptable under the Charter and in international law, the hold that it exercises over a large part of the territory of Cyprus with the assistance of foreign troops. However, few would have expected that such a retrograde, illegal and ill-advised step would actually be taken.

114. We have studied attentively the letter sent by Mr. Denktaş to the Secretary-General, contained in the annex to document S/16148. We have also listened carefully to the statement made by Mr. Denktaş to the Council a little while ago. The legitimate rights of the Turkish Cypriot community should be respected and defended. However, we fail to see any force in the arguments advanced to justify the illegal and unacceptable action taken. The Cyprus question needs to be resolved in a peaceful manner and without delay, and we are all agreed that the intercommunal talks provide the only possible means. This action taken by the Turkish Cypriot community could not possibly help promote the intercommunal talks; indeed, it will only bring them to a sudden and complete halt, as has already become manifest.

115. The Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi in March this year,

"reiterated its full solidarity and support for the people and Government of the Republic of Cyprus and reaffirmed its respect for that country's independence, sovereignty territorial integrity, unity and non-alignment" [*see S/15675 and Corr. 1 and 2, annex, sect. I, para. 128*].

The Heads of State or Government

"expressed their deep concern over the fact that part of the Republic of Cyprus continues to be under foreign occupation and demanded the immediate withdrawal of all occupation forces as an essential basis for the solution of the Cyprus problem" [*ibid., para. 129*].

The Conference considered that "the *de facto* situation created by the force of arms and unilateral actions should not in any way affect the solution of the problem" [*ibid., para. 130*].

116. General Assembly resolution 37/253 also, *inter alia*, affirmed the right of the people of the Republic of Cyprus to "full and effective sovereignty and control over the entire territory of Cyprus and its natural and other resources" and condemned any act which undermined the faithful and effective exercise of those rights. The Assembly also declared that the *de facto* situation created by the force of arms should not be allowed to prejudice an eventual solution to the Cyprus problem. It called upon the parties concerned to "refrain from any unilateral action which might adversely affect the prospects of a just and lasting solution of the problem of Cyprus by peaceful means", as also to refrain from "any action which violates or is designed to violate the independence, unity, sovereignty and territorial integrity of the Republic of Cyprus".

117. It is also pertinent to recall that the Security Council, in its resolution 367 (1975), regretted the unilateral decision of 13 February 1975 declaring the establishment of a so-called Federated Turkish State on part of the territory of Cyprus and expressed its concern over all unilateral actions which had compromised or might compromise the implementation of the relevant United Nations resolutions. The Council also called on all States to respect the sovereignty, independence, territorial integrity and non-alignment of the Republic of Cyprus and urgently requested them, as well as the parties concerned, to refrain from any action which might prejudice those attributes, as well as from any attempt at partition of the island or its unification with any other country. This position of the Council has subsequently been reaffirmed.

118. What has happened in Cyprus is thus in defiance of the will of the international community as reflected in the pronouncements of the United Nations and the Movement of Non-Aligned Countries. This unilateral action has not only disrupted the ongoing process of dialogue but has introduced a new flash-point of tension in the eastern Mediterranean which could have grave consequences for peace and security in that region, already surcharged with conflict, with far-reaching implications for world peace. It is particularly ironic and unfortunate that, just at a time when the Secretary-General had embarked on his renewed mission of good offices and made significant efforts through soundings with the two Cypriot communities, and when progress had been made towards the convening of a high-level meeting, the process of dialogue should have been so rudely and irresponsibly subverted. We take note of the statement of the Secretary-General in which he has expressed deep regret at the step taken and stated that he considers that this is bound to affect adversely the situation in Cyprus and complicate his own efforts to find a just

and lasting solution of the problem [*see 2497th meeting, para. 9*]. We have also noted his intention to pursue his high-level contacts.

119. The world cannot accept a *fait accompli* of the kind attempted. We urge that the unilateral declaration of independence by the Turkish Cypriot Assembly be revoked forthwith. We also urge that no legitimacy or support through recognition or other means be given by any State Member of the United Nations to the so-called Turkish Republic of Northern Cyprus whose creation is being sought through that declaration. The intercommunal talks should be resumed under the auspices of the Secretary-General, but this will clearly not be feasible until and unless this illegal act of unilateral declaration by the Turkish Cypriot side is revoked and annulled. The path to a solution of the Cyprus question remains through dialogue, not through such unilateral actions.

120. The Government and people of India are bound by deep-rooted ties of friendship and co-operation with the Government and people of the Republic of Cyprus. Our solidarity with Cyprus at this critical time has been reaffirmed by our Prime Minister, Mrs. Indira Gandhi, to the President of the Republic of Cyprus, Mr. Kyprianou. Cyprus, like India, is a founding member of the Movement of Non-Aligned Countries. All of us members of the Movement are firmly committed to lending our full support to the sovereignty, independence, unity, territorial integrity and non-alignment of that friendly country. We hope that the Security Council will act decisively and promptly in firmly rejecting this attempted act of secession and call for its immediate annulment.

121. I thank you, Mr. President, and the Council for having invited me to address it on this subject.

122. The PRESIDENT: The next speaker is the representative of Seychelles. I invite her to take a place at the Council table and to make her statement.

123. Ms. GONTHIER (Seychelles): Two years ago I had the sad duty of informing the Security Council [*2314th meeting*] that my island country had been invaded by a mainlander. Two weeks ago I again appeared before the Council [*2489th meeting*] to discuss yet another invasion of an island country by a mainlander. Today I am here again to deliberate on another serious violation of yet another island country, a violation caused and sanctioned by a mainlander. It seems all islands are being sought for strategic purposes these days. We, the small, the weak, the vulnerable are being used in the crudest and ugliest way for war preparations. I need not remind the Council of the dangerous excessive militarization of the Indian Ocean and how most of the island countries there are trembling with fear.

124. The Government of the Republic of Seychelles condemns the declaration of independence by the Turkish-occupied side of Cyprus, and it urges all countries of the world not to recognize it. It is an illegal act and therefore should be declared null and void. This move is a serious violation of the integrity, sovereignty, unity and non-alignment of Cyprus. This event is contrary to any efforts to bring peace and stability in the area, and we appeal to all States Members of the United Nations to take all the necessary measures and action for the preservation of the independence of Cyprus. This event should not be accepted lightly as a *fait accompli*. All Governments must use all the means available to them to see that the Security Council resolutions on this grave issue are implemented. We also want to stress that we support the Secretary-General's initiatives and any other new ideas he might have.

125. Let me take this opportunity to tell you, Mr. President, how proud I am to see Malta presiding this month. It is the smallest country to have served on the Council thus far. It is fitting that the only other independent island State in the Mediterranean should be occupying the presidency while this Cyprus issue is being discussed. We will need your islander sensibilities and sensitivities.

126. Cyprus is known as the island of bitter lemons, but it also has the sweetest oranges—both products of the Mediterranean climate. It is our hope that the two communities in Cyprus will be able to savour in the future only the sweetness they have tasted in the past, which they can still experience, and share with the world despite what we hope are temporary differences.

127. The PRESIDENT: The next speaker is the representative of Australia. I invite him to take a place at the Council table and to make his statement.

128. Mr. JOSEPH (Australia): Through you, Mr. President, permit me to thank members of the Council for acceding to my delegation's request to appear before the Council today. May I also express my delegation's pleasure at seeing you in the chair this month. Malta and Australia enjoy a unique relationship because of the many personal ties between our two countries. And I might say, Sir, that your own links to Australia typify these ties.

129. The attitude of the Australian Government towards the matter now under consideration is clear and unequivocal. We reject and condemn the unilateral declaration of independence by the leadership of the Turkish Cypriot community in Cyprus. As the Australian Prime Minister said in the Australian Parliament on 16 November:

> "The establishment of this so-called republic is in violation of international law. It is in specific violation of a number of Security Council resolutions to which Australia subscribes, and it endangers the peace and security of this troubled area".

Mr. Hawke went on to underline the conviction of the Australian Government that the illegal declaration must be withdrawn. My country is in fact gravely concerned that this latest development can only lead to an increase in tension in a country that has already experienced too much violence and loss of life. We must appeal to all concerned to exercise maximum restraint in the face of a potentially inflammatory situation.

130. The Australian Government has no intention of recognizing the illegal state declared by the Turkish Federated State of Cyprus. We continue to recognize only the legal Government of the Republic of Cyprus, led by President Kyprianou. We express the very strong hope that all other members of the international community will also withhold recognition from this illegal entity or, if they have already extended recognition, will withdraw it promptly.

131. It is the firm view of the Australian Government that a negotiated settlement should be sought as a matter of urgency. Such a negotiated settlement would need to ensure the unity, sovereignty and territorial integrity of Cyprus, as well as safeguarding the legitimate interests and concerns of both communities in Cyprus. We believe that there continues to be a significant role for the Secretary-General in the search for a peaceful settlement, and we are confident that he will spare no efforts on a problem on which he is so uniquely well equipped. It would be appropriate for the Security Council to renew and reinforce his mandate.

132. For our own part, and at the direction of the Foreign Minister, we have been active both in Canberra and the capitals concerned to make clear our deep anxiety at the situation and the implications for stability.

133. Australia has been a contributor to UNFICYP since it was established in 1964. This commitment automatically involves us in this Security Council debate today. We are keeping a very close watch on the safety of UNFICYP, and we call upon all the parties to allow it to carry out its mandate unimpeded. I should say that if the Force were to be placed in jeopardy, the Australian Government would have to review the participation of its contingent.

134. Following the adoption of General Assembly resolution 37/253 on 13 May this year and the subsequent activities of the Secretary-General, there was some small reason to think that progress toward a settlement might be possible. Indeed, as we heard this morning, the possibility of a meeting between President Kyprianou and Mr. Denktaş was being actively pursued and the prospects looked fair. We fear that those hopes have now been dashed. Australia, however, calls on the Turkish Cypriot community to recreate the situation in the island which would allow a return to sensible dialogue with its Greek Cypriot compatriots.

135. The PRESIDENT: The next speaker is the representative of Algeria. I invite him to take a place at the Council table and to make his statement.

136. Mr. SAHNOUN (Algeria) (*interpretation from French*): Mr. President, we owe to your predecessor our congratulations on the way in which he discharged his important duties as President of the Security Council during a month in which there was intense activity. You are now called upon to use your recognized talents as a seasoned diplomat in conducting the Council's proceedings this month. I would have willingly resisted the privilege of appearing before you and the pleasure of extending to you my best wishes for success if the uncertain world we live in had spared us a new clash. This clash is the result of a deplorable development in the Mediterranean, whose agitated heartbeats we constantly hear in Algeria and in Malta, which are friends and non-aligned coastal States. This unexpected development gives an alarming dimension to the crisis of Cyprus, a non-aligned country with which Algeria has relations of trust and friendship.

137. Since it began, the crisis of Cyprus has been a constant focus of the attention of the international community, whose efforts have been especially directed towards promoting a definitive political solution, through constructive talks between the two communities.

138. The United Nations has worked towards that end with dedication and perseverance. In so doing, it has established the key elements of the framework within which any solution must be found—that is, the independence, sovereignty, territorial integrity, unity and non-alignment of the Republic of Cyprus. That is why in this matter the Organization committed the full authority of the Secretary-General, who has made universally welcomed efforts to help in the initiation and success of the dialogue, which is indispensable to the resolution of the crisis, by striving especially to create the conditions necessary to that end.

139. It is with the same concerns that the Movement of Non-Aligned Countries too has acted in the same direction and on the basis of the same principles, establishing a contact group on the question of Cyprus over which Algeria has the honour to preside. Since its establishment, this group, which also includes Cuba, Guyana, India, Mali, Sri Lanka and Yugoslavia, has made tireless efforts to contribute as best it can to the success of the intercommunal dialogue, so as to put an end to the crisis and to restore coexistence and peace between the two Cypriot communities.

140. It was in that spirit, and on the basis of the Movement's unswerving position of principle—similar in every way to that of the United Nations—that just after the New Delhi non-aligned summit conference the contact group went to Cyprus at the invitation of the Government of that country and engaged in various contacts both with Government authorities and with spokesmen of the two communities. I had the opportunity last May to inform the General Assembly of this mission when on behalf of the contact group I introduced a draft resolution on the question of Cyprus.[6]

141. The reactivation and stimulation of the efforts of the Secretary-General, which were one of the primary objectives of Assembly resolution 37/253, have stood out as the main element of the situation in recent months. Since those efforts gave rise to legitimate optimism, the Assembly even decided to defer consideration of the item at the present session.

142. The proclamation on 15 November of an "independent State" on the part of the territory of the Republic of Cyprus which is not under the control of its Government constitutes in every respect a development which is as regrettable as it is alarming. This act, which clearly runs

counter to the international consensus on the peaceful settlement of the Cypriot crisis, can only be considered as a factor for increasing tension and complicating a situation whose solution has unceasingly been the subject of increased efforts by the international community.

143. At the very least, this act must be harmful to a settlement and to the painstaking process, based on universally acknowledged principles and directed towards a just and final solution, which had given rise to high hopes for a peaceful and harmonious future for the Cypriot nation.

144. Algeria, which is resolutely committed to that objective and which is sparing no effort to help achieve it, was naturally compelled to consider this new development in that light. Thus, my Government has affirmed, through the spokesman of the Ministry of Foreign Affairs, that:

> "The unilateral proclamation of an independent Turkish Cypriot State is a serious blow both to the resolutions and decisions of the United Nations and of the Movement of Non-Aligned Countries and to the unflagging efforts now being made in the search for a political solution which would be satisfactory to the Cypriot people. Algeria reaffirms its staunch dedication to the independence, sovereignty, territorial integrity, unity and non-alignment of the Republic of Cyprus. In its capacity as chairman of the contact group on Cyprus of the Movement of Non-Aligned Countries, Algeria has constantly worked for the respect of those basic principles and for promoting them as the solid basis for the desired political settlement and continues today to call for responsible dialogue in the legitimate interest of the two Cypriot communities. In this context, the new proposals made by the Secretary-General of the United Nations, which have been hailed by the international community, in particular by the Republic of Cyprus, should underlie the needed continuation of such dialogue."

145. That needed continuation of dialogue, for which we earnestly call, has now come up against the considerable obstacle of the unilateral proclamation of an independent Turkish State in northern Cyprus. Such an act can have no validity whatsoever under international law, under the Treaty of Guarantee[1] or under the Cypriot Constitution, and the Security Council must use all its political, moral and legal influence to eliminate this unfortunate threat to the sovereignty of Cyprus and to the painstaking process aimed at a just and lasting solution of the crisis. The Council is called upon to declare, with responsibility and calm, what is demanded by international legality in the face of this new situation, and we are certain that it will not fail to do so unanimously and to point out to the States Members of the United Nations all measures which could ensure the primacy of law and which could put to constructive use the energies available for a solution to the crisis consistent with the international consensus on this issue.

146. The PRESIDENT: The next speaker is the representative of Canada. I invite him to take a place at the Council table and to make his statement.

147. Mr. PELLETIER (Canada) (*interpretation from French*): First of all, Sir, I should like on behalf of my delegation to congratulate you on your assumption of the presidency of the Security Council. This is a well-deserved honour, which reflects well also upon the country which you represent here with such dignity. I wish also on behalf of the Government of Canada to express my gratitude to the Council for the opportunity to participate in this urgent debate on the situation in Cyprus. I regret that events in the island have made it necessary for the Council to return to this question barely five months after it was last discussed here, when I had the privilege of addressing the Council [*2454th meeting*].

148. My Government deeply regrets the unilateral declaration of independence on 15 November by the self-styled "Turkish Republic of Northern Cyprus". We have no plans to reconize this would-be State in the island of Cyprus. We continue to recognize a single Republic of Cyprus, whose sovereignty and territorial integrity should be respected by all.

149. The unilateral declaration of independence has been disruptive of a very delicate and difficult negotiation process. It is the unfortunate result of what I observed to the Council last June, to the effect that the two communities of Cyprus and certain others involved in the Cyprus dispute have not shown the determination necessary to make the difficult compromises required to reach a successful political solution.

150. While we recognize the impatience and frustration of the parties evoked by the continuing impasse, we do not, however, condone such a disproportionate response to these feelings. By its action, the Turkish Cypriot community has endangered the prospects for the achievement of a just and lasting settlement within a united Cypriot State and for the return of well-deserved peace and prosperity. Canada's regret at this unhappy situation is much the greater because of our long-standing involvement in UNFICYP, the Force created precisely to facilitate a solution to the Cyprus problem, one not imposed unilaterally but developed by and having the agreement of all parties.

151. We note that the Turkish Cypriot leaders have expressed the view that the good offices of the Secretary-General and the negotiations must continue. A tangible and constructive manifestation of this belief would be the withdrawal of the unilateral declaration of independence by the Turkish Cypriot side and a commitment on its part to resume active intercommunal negotiations at the highest level as soon as possible.

152. In the meantime, Canada joins the Secretary-General and other States in calling on all parties concerned to exercise the maximum restraint and to avoid any provocation that could result in a further deterioration of the situation. As a country participating in UNFICYP, we call on all concerned to respect fully the Force's mandate and personnel. This is the minimum requirement for the continued effectiveness of this international Force.

153. In this especially difficult situation, I believe that there are constructive steps the Council could take now. For example, it might ask the Secretary-General to carry out urgent soundings and report back to the Council within a short period. This report could serve as a basis for further consideration and action by the Council.

154. Canada continues to support most strongly the efforts of the Secretary-General to promote a negotiated and lasting settlement. These efforts are all the more important in the new situation which now confronts us, and thus we urge the Council to again endorse them. We call on the other Member States to offer their full support to enhance the authority of the Secretary-General in overcoming the obstacles to a final settlement of a problem which has been with us all too long.

The meeting rose at 6.55 p.m.

NOTES

[1] United Nations, *Treaty Series*, vol. 382, No. 5475.

[2] *Ibid.*, vol. 382, No. 5476.

[3] *Ibid.*, vol. 397, No. 5712.

[4] *Conference on Cyprus: Documents signed and initialled at Lancaster House on 19 February 1959*, Cmnd. 679 (London, Her Majesty's Stationery Office, 1959).

[5] United Nations, *Treaty Series*, vol. 382, Nos. 5476 to 5486.

[6] See *Official Records of the General Assembly, Thirty-seventh Session, Plenary Meetings*, vol. III, 120th meeting, paras. 40 to 49.

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